

EXHIBIT “D”



Cornell University

Chantelle Cleary
 University Title IX Coordinator
 Office of the Title IX Coordinator
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 Ithaca, NY 14853
 t. 607.255.2242
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To: Complainant and Respondent
 From: Chantelle Cleary, University Title IX Coordinator
 Date: April 23, 2019
 Re.: NOTICE TO PARTIES UPON THE ISSUANCE OF A FORMAL COMPLAINT

Personal – Private

Dear Complainant and Respondent,

This letter serves as "Notice to the Parties Upon the Issuance of a Formal Complaint." The University is exercising jurisdiction over this Formal Complaint pursuant to the "Procedures for Resolution of Reports Against Faculty Under Cornell University Policy 6.4" because: (1) the Respondent is a faculty member; and (2) the Title IX Coordinator has determined that the alleged prohibited conduct has occurred in the context of a University program or activity, and/or the Title IX Coordinator has determined that the alleged conduct poses a substantial threat to the University's educational mission or to the health or safety of University community members, including potentially contributing to or creating a hostile environment on any campus of the University.

Please find attached hereto:

- Formal Complaint (20181900) (March 15, 2019)
 - Please note: The University may hold the Respondent accountable for violations of the Code of Conduct or Policy 6.4 that are not referenced in the complaint but are learned about from evidence, testimony, or admissions during the investigation and adjudication process.
- The Policy 6.4 Informational Letter

This Formal Complaint will be investigated by Title IX Coordinator Chantelle Cleary and Faculty Co-Investigator Jerry Stedinger.

***Privacy.** Please note that, pursuant to Cornell Policy 6.4, and the applicable Procedures: The University encourages parties not to reveal any information they learn in the course of their participation in processes set forth in the applicable procedures, other than for the purpose of consulting with advisors and attorneys, and incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role. Parties may choose whether to disclose or discuss with others the outcome of a complaint under this policy. Students are prohibited from distributing documents obtained in the course of their participation in processes set forth in the applicable procedures other than for the purpose of consulting with an advisor; incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role; or as part of a civil, criminal, or administrative legal proceeding. By accepting the role of advisor, all advisors agree to comply with the rules and processes set forth in Policy 6.4 and these procedures, including rules regarding privacy. As appropriate, in a given case, a university official, such as the Title IX Coordinator, may issue an order restricting the parties from*

disclosing specific information. Members of the Cornell community who fail to follow an order of a university official may be found to have violated Cornell University's Campus Code of Conduct. Additionally, sharing private information in a manner that harms another individual may constitute retaliation prohibited under this policy.

Thank you,

Chartelle Cleary

University Title IX Coordinator

Private - Distribution Not Permitted



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To: Complainant and Respondent¹ in Reports against Students under Cornell Policy 6.4

From: The Office of the Title IX Coordinator

Re.: Complainant's and Respondent's Written Guide to Rights, Options, and the Process for the Resolution of Reports against Students under Cornell Policy 6.4

Cornell University is committed to providing a safe and nondiscriminatory environment for all members of the Cornell community. The university prohibits Dating Violence, Domestic Violence, Sexual Assault, Sexual Exploitation, Sexual and Gender-Based Harassment, Stalking, Aiding Prohibited Conduct, Attempting to Commit Prohibited Conduct, Retaliation, and Violating an Interim Measure by students (collectively referred to as "Prohibited Conduct"). Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct ("Policy 6.4")² and Procedures for Resolution of Reports Against Students Under Cornell University Policy 6.4 (the "Procedures")³ govern the university's response to reports of Prohibited Conduct and resolution of Formal Complaints.

Any report of Prohibited Conduct will be taken seriously. The university's handling of a report of Prohibited Conduct will be prompt, fair, and impartial from the initial response to the final resolution of a Formal Complaint. The university response will be conducted by appropriately trained individuals who do not have a conflict of interest or bias for or against the complainant or the respondent.

You have the right to consult with an advisor of your choice and to bring an advisor of your choice to any meeting or proceeding. The university offers law students as procedural advisors for both parties free of charge. Those advisors are as follows:

- For Respondents, The Judicial Codes Counselors, available at: jccoffice@cornell.edu
- For Complainants, The Complainant's Advisors, available at: complaintadvice.cornell.edu

¹ A person who is the subject of a report or initiates a Formal Complaint of Prohibited Conduct under Policy 6.4 is designated the "complainant." A student against whom such a report or Formal Complaint has been made is designated the "respondent." Both the complainant and respondent are collectively referred to as "party" or "parties."

² <https://www.dfa.cornell.edu/tools-library/policies/prohibited-discrimination-protected-status-harassment-sexual-harassment-and>

³ <http://titleix.cornell.edu/procedure/>

As an alternative or in addition to utilizing an advisor offered by the university, each party has the right to select and consult with an advisor and support person of their own choosing. Your advisor and support person may be anyone, including an attorney, who is not a party or witness or otherwise involved in the case. By accepting the role of advisor, all advisors agree to comply with the rules and processes set forth in Policy 6.4 and these procedures, including rules regarding privacy.⁴

This letter provides an overview of: (1) Reporting Rights and Options; (2) Interim Measures: Accommodations and Protective Measures; (3) Privacy and Confidentiality; (4) Filing a Formal Complaint; (5) Retaliation is Prohibited; (6) the Student Bill of Rights; and (7) Resources.

If you have any questions, please contact the University Title IX Coordinator, Chantelle Cleary, at 607.255.2242 or titleix@cornell.edu. For additional information, please see titleix.cornell.edu.

Reporting Rights and Options

You have the right to make a report of Prohibited Conduct to Cornell University Police, local law enforcement, and/or state police or choose not to report; to report the incident to Cornell; to be protected by Cornell from retaliation for reporting an incident; and to receive assistance and resources from Cornell.

Reporting to Law Enforcement. All individuals are encouraged to report any conduct that may constitute a crime to law enforcement immediately. Police have a unique legal authority to seek and execute search warrants, to collect forensic evidence that may have been left at relevant locations, and to make an arrest when there is probable cause to believe that a crime has been committed.

You have the right to make a report or to decline to make a report to the police. You may contact the Police directly. Alternatively, you may seek assistance in notifying the police from a Title IX Coordinator. A Title IX Coordinator can assist in setting up an initial meeting with the police.

Law Enforcement can be reached at any time by calling “911” for emergencies or one of the numbers listed below:

- ***Cornell University Police Department***, 607.255.1111 cupolice.cornell.edu
- ***Ithaca Police Department***, 607.272.3245 – Non-Emergency Police Assistance, cityofithaca.org/234/Ithaca-Police-Department
- ***New York State Police***, 1850 Dryden Road Freeville, NY 13068 607.347.4440
- ***New York State Police 24-hour dedicated Campus Sexual Assault Hotline***, 844.845.7269

⁴ Information for Advisors and Support Persons is available at: http://titleix.cornell.edu/guides_forms/information-for-advisors-and-support-persons/



Reporting to Cornell. Cornell strongly encourages individuals who have experienced, have knowledge of, or have witnessed gender-based harassment, sexual harassment, sexual assault, domestic and dating violence, stalking, sexual exploitation, or other forms of sexual misconduct committed by or against students, staff, or faculty to report the incident immediately to the university.

For Prohibited Conduct, report the incident to the university through any of the following options:

- **By contacting the University Title IX Coordinator or any Deputy Title IX Coordinator** by telephone, email, or in person during regular office hours. Contact information available at titleix.cornell.edu.
 - The University Title IX Coordinator has the primary responsibility for receiving reports concerning Prohibited Conduct by students under Policy 6.4. The University Title IX Coordinator can be contacted at 607.255.2242 or titleix@cornell.edu.
 - The Deputy Title IX Coordinator for Staff and Faculty—the director of the Office of Workforce Policy and Labor Relations—has the primary responsibility for receiving reports concerning sexual and nonsexual misconduct by faculty and staff members and can be contacted at 607.255.7232 or equalopportunity@cornell.edu.
- **By emailing:** titleix@cornell.edu
- **Submit an incident report online** at biasconcerns.cornell.edu (this report may be submitted anonymously).
- **By contacting the Cornell University Police Department** at 607.255.1111 or 911 for emergency assistance.

There are significant differences between the criminal justice system and the university process because they have different, important goals. In the criminal justice system, prosecutors pursue cases when they believe there is sufficient evidence to prove, beyond a reasonable doubt, that an individual has committed a criminal act. A person convicted of a crime will face criminal penalties, such as incarceration, probation, or the imposition of a fine. The university process seeks to determine whether an individual has violated Cornell Policy 6.4. The university process uses a preponderance of the evidence standard of proof to determine responsibility. A person found responsible of violating Policy 6.4 may be sanctioned as outlined below.

Emergency Medical Assistance. An individual who experiences sexual assault, domestic and dating violence, stalking, sexual exploitation, or other forms of sexual or related misconduct is strongly encouraged to seek immediate medical assistance. Students are not required to report an incident to law enforcement or Cornell in order to receive medical attention or a forensic exam.

Regardless of whether a forensic exam is obtained after a sexual assault, individuals are encouraged to seek follow-up care to address any ongoing medical concerns, including those related to sexually-transmitted infections and pregnancy. Students may access care at Cornell Health, or through any appropriate health care provider outside of Cornell.



- **Cornell Health, health.cornell.edu**
A Cornell Health healthcare provider or counselor is available 24/7 at 607.255-5155 to answer questions and provide medical and emotional support. Call Cornell Health, and a healthcare provider will offer information about your options for care.
- **Cayuga Medical Center at Ithaca, www.cayugamed.org**
The Cayuga Medical Center is the nearest hospital to the Ithaca Campus where an individual can receive a forensic sexual assault examination by a Sexual Assault Nurse Examiner (also known as a "SANE Nurse").

SANE Nurses can assess injuries related to physical trauma; evaluate for sexually-transmitted infections and possible pregnancy; provide medical care (including medications to prevent infections and pregnancy); and can, within the first 96 hours after a sexual assault, administer a "forensic exam." During the forensic exam, the SANE Nurse documents and collects evidence of sexual contact and/or physical trauma (including injuries to the body and genitals), trace evidence, biological fluids, and identifiable DNA. When there is reason to believe that an assault may have been facilitated by the use of drugs or alcohol, the forensic exam may also include the collection of urine and blood samples for toxicology testing.

Preservation of Evidence. Preservation of information and tangible material relating to sexual or related misconduct is essential for investigations under these procedures as well as law enforcement investigations. Therefore, all persons involved in these procedures, whether as the complainant, the respondent, or a witness, are encouraged to preserve all information and tangible material relating to the alleged prohibited conduct.

Examples of evidence include:

- A forensic sexual assault examination, which can be obtained at the Cayuga Medical Center at Ithaca (607.274.4011);
- Any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Electronic exchanges to the extent that they can be captured or preserved (e.g., text messages, emails, and Facebook, Instagram, Snapchat, or other social media posts);
- Photographs (including photographs stored on smartphones and other devices);
- Voice-mail messages and other physical, documentary, and/or electronic data that might be helpful or relevant in an investigation; and
- Electronic and photographic evidence that may be lost through the upgrade or replacement of equipment (including smartphones) and software and/or accounts that may be lost with the passage of time.

In the case of medical information, prompt examinations can be crucial to the collection of forensic or other medical evidence.



Interim Measures: Accommodations and Protective Measures

Cornell offers a range of resources, support services, and measures to protect the safety and well-being of the complainant, the respondent, and the community and to promote an accessible educational environment. These measures include Interim Measures put in place by the Title IX Coordinator in order to accomplish the following goals:

1. to support and protect the safety of the complainant, the respondent, the university's educational environment, and the university community;
2. to deter retaliation; and
3. to preserve the integrity of the investigation and resolution process pursuant to these procedures.

Interim Measures may be issued based upon a party's request or at the university's initiative. In all instances, the university will, at its discretion, determine whether any given Interim Measure is reasonable and appropriate.

Interim Measures. Interim Measures include but are not limited to:

- assistance obtaining access to counseling, advocacy, or medical services;
- assistance obtaining access to academic support and requesting academic accommodations;
- changes in class schedules;
- assistance requesting changes in work schedules, job assignments, or other work accommodations;
- changes in campus housing;
- safety escorts;
- "no-contact" orders (curtailing or prohibiting contact or communications between or among individuals); and
- temporary suspensions.

Interim Measures are available regardless of whether a Formal Complaint has been filed under the Procedures, with the exception of a Temporary Suspension, which may be imposed only if a Formal Complaint has been filed.

Interim Measures are available regardless of whether the complainant chooses to report the prohibited conduct to law enforcement.

Order of Protection. The Cornell University Police Department will assist both the respondent and the complainant (or any member of the Cornell community impacted by an Order of Protection) by helping the parties understand the availability of an order, the potential content and parameters of an order, and the consequences for violating an order. Orders of Protection are court orders and, thus, the university is not able to issue them. In New York, Family Courts, criminal courts, and Supreme Courts can all issue Orders of Protection. The university will comply with and Cornell Police will enforce an Order of Protection, or similar lawful order issued by a criminal, civil, or tribal court.



Privacy and Confidentiality

Confidential Resources. The university offers a number of confidential resources for all individuals, including respondent and complainants who are unsure whether to report prohibited conduct and/or who seek counseling or other emotional support in addition to, or without, making a report to the university. See the “Confidential Resources” subsection included in the Resources section at the end of this letter and available online at titleix.cornell.edu, if you wish to obtain additional information about confidential assistance and advice.

Privacy. All Cornell offices and employees, including the Title IX Coordinators, will maintain your privacy to the greatest extent possible. The information you provide to a nonconfidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.

Complainant’s Requests That No Formal Complaint Be Pursued. The University strongly supports the complainant’s decision not to pursue a Formal Complaint and desire for anonymity. Where the complainant does not wish to pursue a Formal Complaint, the University will honor the complainant’s wishes unless doing so would not adequately mitigate the risk of harm to the complainant or other members of the University community or doing so impacts the University’s ability to provide a safe and non-discriminatory environment for all members of the University community, including the complainant.

Regardless of whether the complainant chooses to file or participate in a Formal Complaint, the Title IX Coordinators will assist the complainant with reasonable and available accommodations, which may include academic, housing, transportation, employment, and other accommodations. These accommodations will vary depending on the nature of the reported prohibited conduct, whether the complainant is a student, faculty or staff member, and the wishes of the complainant regarding anonymity. The Title IX Coordinator will maintain as private any accommodations or protective measures provided to the complainant. The Title IX Coordinator may disclose to an appropriate university official only information that is necessary to provide the accommodations or protective measures in a timely manner.

The Title IX Coordinator may also take proactive steps, such as training or awareness efforts, to address sexual and interpersonal violence in a general way that does not identify the complainant.

Where the complainant declines to participate in an investigation, the University’s ability to meaningfully investigate and respond to a report may be limited.

Privacy of Complaint Process. To ensure the integrity of Policy 6.4 and its applicable procedures, and to encourage parties and witnesses to participate in matters under the policy, the university recognizes that participants should be protected from unreasonable disclosure of their involvement in processes under any of the applicable procedures, and of any information they reveal during their participation. However, the university also recognizes that there are legal mandates that govern disclosure and afford participants certain rights to disclose information related to matters under this policy.



Accordingly, the university seeks to balance these competing interests by encouraging parties not to reveal any information they learn in the course of their participation in processes set forth in the applicable procedures, other than for the purpose of consulting with advisors and attorneys, and incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role. Parties are also encouraged to request that any advisors, attorneys, and support persons they consult keep information related to matters under this policy private.

Parties may choose whether to disclose or discuss with others the outcome of a complaint.

The university prohibits students from distributing documents obtained in the course of their participation in matters under the Procedures, including, but not limited to, the complaint, interview transcripts, and the investigative record and report, other than for the purpose of consulting with an advisor; incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role; or as part of a civil, criminal, or administrative legal proceeding.

As appropriate, in a given case, a university official, such as the Title IX Coordinator, may issue an order restricting the parties from disclosing specific information. Members of the Cornell community who fail to follow an order of a university official may be found to have violated Cornell University's Campus Code of Conduct. Additionally, sharing private information in a manner that harms another individual may constitute retaliation prohibited under this policy. (Retaliation is defined in the applicable procedures and may result in disciplinary action.)

If you are eighteen (18) years or older, generally no university office will contact your parents or other family members unless you give express written permission. Friends, faculty, coaches, supervisors, co-workers, etc. will not be contacted either, unless they are necessary witnesses.

The university will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without inclusion of personally identifying information.

Filing a Formal Complaint

In any case where the complainant reports Prohibited Conduct and requests resolution under Policy 6.4, the Title IX Coordinator will promptly initiate an investigation. This process begins with the complainant signing a written Formal Complaint.

Notice. The Formal Complaint, setting forth the date, time, location, and factual allegations concerning the violation will be provided to the complainant and the respondent. The university may hold the respondent accountable for violations of the Code of Conduct or Policy 6.4 that are not referenced in the complaint but are learned about from evidence, testimony, or admission during the investigatory and adjudication process.

Standard of Evidence. The standard of evidence under Policy 6.4 is a preponderance of the evidence (i.e., it is more likely than not that the conduct has occurred). During an investigation,



the respondent is presumed “not responsible” until a finding of “responsible” is made pursuant to Policy 6.4.

Time Limitations. A Formal Complaint against a student may be filed with the University Title IX Coordinator under Policy 6.4 at any time as long as the respondent is a student at the time of the complaint.

To promote timely and effective review, the University strongly encourages complainants and other persons with knowledge of possible violations of this policy to make reports as soon as possible, ideally within one year of the alleged prohibited conduct. A delay in reporting may affect the University's ability to gather relevant and reliable information, contact witnesses, investigate thoroughly, and respond meaningfully. It may also affect the University's ability to take disciplinary action against a student who has engaged in prohibited conduct.

Jurisdiction. The Procedures apply to prohibited conduct by a student on any campus of the University, on any other property or facility used by it for educational purposes, or on the property of a University-related residential organization. All actions by a student that involve the use of the University computing and network resources from a remote location, including but not limited to accessing email accounts, will be deemed to have occurred on campus.

The Procedures will apply regardless of the location of the conduct where the President or their designated representative in the person of the Title IX Coordinator determines that either:

- the alleged prohibited conduct has occurred in the context of a University program or activity; or
- the conduct poses a substantial threat to the University's educational mission or to the health or safety of University community members, including potentially contributing to or creating a hostile environment on any campus of the University.

Participation. Neither the complainant nor respondent is required to participate in the investigation or hearing process. However, if a party declines to participate in an investigation and/or the hearing process under these procedures, the university's ability to investigate meaningfully and respond to a report of Prohibited Conduct may be limited. In addition, if a party declines to participate in investigative interviews deemed necessary by the investigator, the party will forfeit the opportunity at the hearing to give a written opening statement, testify, and give oral and written closing statements. If another Cornell community member is asked to provide a witness interview, they are expected to participate.

All witnesses and parties who participate are expected to provide truthful information in the resolution of reports of prohibited conduct under Policy 6.4. “Furnishing false information to the University with intent to deceive” is prohibited and subject to disciplinary sanctions under Cornell University's Campus Code of Conduct.

Alcohol and/or Drug Use Amnesty. A complainant or bystander acting in good faith when disclosing an incident of sexual assault, dating violence, domestic violence, or stalking to the university's officials or law enforcement will not be subject to Campus Code of Conduct action



for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the sexual assault, dating violence, domestic violence, or stalking.

Investigation and Adjudication Process.⁵ The formal complaint procedure for students is comprised of: (1) an investigation, (2) a hearing, and (3) an appeal. For a comprehensive description of the investigatory and adjudicatory process, please review the Procedures available at titleix.cornell.edu.

1. **Investigation.** During the investigation, an appropriately trained investigator will gather information from the parties and other individuals who have relevant information, and gather relevant available evidentiary materials, including physical evidence, documents, communications between the parties, and electronic records and media as appropriate. The parties will be interviewed separately and will not appear in the same room during the investigation. The parties will have the opportunity to review and comment on the information gathered by the investigator prior to the investigator submitting an investigative report and record to the Hearing Panel. Both parties will receive a copy of the investigator record and investigative report simultaneously. All individuals involved in the investigation will be treated with sensitivity and respect and the investigation will be completed as expeditiously as possible.
2. **Hearing.** Findings of responsibility and determinations regarding sanctions and remedies are made through a hearing process conducted by a three-member Hearing Panel and a non-voting Hearing Chair. All efforts will be made to provide the hearing notice no later than seven business days prior to the hearing and to schedule the hearing as soon as practicable. The parties may submit written opening statements and requests for witnesses within five days of receiving the investigative record and report (which period may be extended for good cause). The parties may request questions to be asked of witnesses by the Hearing Panel and may make an oral closing argument. The parties will not appear in the same room during the hearing and may never directly address each other during the hearing. The Hearing Panel and Hearing Chair conducts all questioning. The Hearing Panel will issue a written decision as expeditiously as possible upon completion of deliberations.
3. **Appeal.** The complainant and the respondent have equal rights to appeal the Hearing Panel's findings on responsibility and determinations regarding sanctions and remedies. Appeals must be submitted in writing within ten business days of receipt of the Hearing Panel decision (which period may be extended for good cause). All appeals will be heard by a three-member Appeal Panel that includes the Provost and the Vice President for Student and Campus Life as two permanent ex officio members and a member of the Hearing Panel pool as the third member. The Appeal Panel will establish a reasonable schedule for issuing a written decision, typically no later than thirty business days. This decision is final and not subject to further appeal.

⁵ A brief guide to the investigation process is available at: http://titleix.cornell.edu/guides_forms/brief-guide-to-an-investigation-of-a-formal-complaint-against-a-student/



Alternate Resolution. At any time after a Formal Complaint has been filed and before a hearing commences, the parties may seek to resolve a report of prohibited conduct through Alternate Resolution, an administrative process. Participation in Alternate Resolution is entirely voluntary; the Title IX Coordinator will neither pressure nor compel either party to participate in the process or agree to any specific terms. Alternate Resolution will not involve mediation, or any face-to-face meetings, between the complainant and the respondent.

Sanctions. The Hearing Panel may impose sanctions and remedies in situations where a respondent is found responsible, including:

- Measures similar in kind to the Interim Measures specified under the Procedures;
- Appropriate educational steps (such as alcohol or drug education, reflection papers, counseling, or directed study);
- Restrictions or loss of specified privileges at the university for a specified period of time;
- Oral warnings;
- Written reprimands;
- Disciplinary probation for a stated period;
- Suspension⁶ from the university for a stated period not to exceed five (5) years, or indefinitely with the right to petition the Hearing Panel in writing at any time for readmission after the academic term following the academic term in which the suspension occurred; and/or
- Dismissal (*i.e.*, expulsion) from the university.

Transcript Notations and Withholding Degrees. Pursuant to the Office of the University Registrar transcript notation policy for student conduct matters, the following actions will result in a permanent transcript notation for a student:

- dismissal (*i.e.*, expulsion) after a finding of responsibility;
- suspension after a finding of responsibility; and
- withdrawal from the University while a Formal Complaint is pending.

If the underlying finding of responsibility is vacated for any reason, the transcript notation will be removed. As set forth in the Office of the University Registrar policy, students may also apply to have a suspension notation removed. Suspension notations will remain in place for at least one year following the completion of a suspension. Transcript notations after dismissal or withdrawal are not eligible for removal.

Degrees will not be awarded to the respondent while a Formal Complaint under these procedures is pending. The University may withhold awarding a degree otherwise earned until the adjudication process set forth in these procedures is complete, including the satisfaction of any sanctions imposed.

⁶ Please note that the standard for a temporary suspension differs from the factors for the Hearing Panel's consideration in determining appropriate sanctions. A respondent who is not temporarily suspended, may be suspended or dismissed upon being found responsible.



The University will temporarily note the respondent's transcript once a Formal Complaint is made pursuant to these procedures. The University will temporarily note the respondent's transcript if the respondent has been temporarily suspended pursuant to these procedures. These temporary notations may not be appealed and will be removed upon resolution of the underlying matter.

Retaliation is Prohibited

You have a right to be protected by the university from retaliation for reporting an incident or participating in any investigation or proceeding. Retaliation is Prohibited Conduct.

Retaliation is an adverse action taken against an individual for making a good faith report of prohibited conduct or participating in any investigation or proceeding under these procedures. Retaliation may include intimidation, threats, coercion, or adverse employment or educational actions. Retaliation may be found even when an underlying report made in good faith was not substantiated. Retaliation may be committed by the respondent, the complainant, or any other individual or group of individuals. Retaliation does not include good faith actions pursued in response to a report of prohibited conduct.

Student Bill of Rights

You have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by Cornell;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from Cornell courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that a complainant is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few Cornell representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by Cornell, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of Cornell;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an adviser of choice who may assist and advise a complainant, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of Cornell University.



Resources

Cornell is a caring community. We hope that you take advantage of the many resources available to you.

Confidential Resources. For confidential support, complainants and respondents can seek assistance from:

- **Cornell Health** (medical and mental health providers, students only: 607.255.5155)
- **The Faculty and Staff Assistance Program (FSAP)** (mental health providers, faculty and staff only: 607.255.2673)
- **Cornell United Religious Work Chaplains (CURW)** (pastoral counseling: 607.255.6002)
- **The Advocacy Center of Tompkins County** 24/7 hotline (607.277.5000)
- **The Cornell Victim Advocate** (607.255.1212, victimadvocate@cornell.edu)
- **The director of the Women's Resource Center (WRC)** (607.255.0015, wrc@cornell.edu)
- **The director of the LGBT Resource Center** (607.255.4406)
- **The University Ombudsman** (607.255.4321)

Conversations with the university's "confidential resources" are kept strictly confidential and, except in rare circumstances, will not be shared without explicit permission, as explained below:

- Cornell Health, FSAP, and CURW will not share with the University's Title IX Coordinator or any other university officials any information disclosed to them in the course of providing medical and/or mental health services or pastoral counseling. Generally, these conversations are also legally privileged in the event of court proceeding.
- The Victim Advocate, directors of the WRC and LGBT Resource Center, and the Ombudsman will not convey any personally identifiable information to the University Title IX Coordinator or any other university officials; however, they will share with the University's Title IX Coordinator de-identified statistical or other information regarding prohibited conduct under Policy 6.4.
- The Advocacy Center of Tompkins County is independent of Cornell and has no duty to consult with the university.

For confidential support resources other than those listed above, call the New York State Domestic and Sexual Violence hotline (1.800.942.6906).

Even those university officials who cannot guarantee confidentiality will maintain a person's privacy to the greatest extent possible. When the information pertains to sexual or related



misconduct, the information provided to a non-confidential resource will be relayed to the Title IX Coordinator or Deputy Title IX Coordinator only as necessary for the Title IX Coordinator to investigate and seek resolution.

Discuss Reporting Options.

- The Title IX Coordinator, 607.255.2242, titleix@cornell.edu
- Cornell Police (24/7), 607.255.1111
- Complainant's Advisors (complainant's procedural advisor), complaintadvice@cornell.edu
- Judicial Codes Counselors (respondent's procedural advisor), jccoffice@cornell.edu

Additional Information.

- Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct, policy.cornell.edu/6.4
- Sexual Harassment & Assault — Response & Education, SHARE.cornell.edu
- Office of the Title IX Coordinator, titleix.cornell.edu
- Cornell Police, cupolice.cornell.edu
- Cornell Health, health.cornell.edu
- Student Disability Services, sds.cornell.edu
- International Students and Scholars Office (immigration resources), isso.cornell.edu
- Workforce Policy and Labor Relations, equalopportunity@cornell.edu
- NYS Bar Association Lawyer Referral & Information Service, 1.800.342.3661

For more information about resources, please see SHARE.cornell.edu and titleix.cornell.edu.

Questions:

If you have any questions, please contact the University's Title IX Coordinator, Chantelle Cleary, at 607.255.2242 or titleix@cornell.edu.

Thank you,

Chantelle Cleary

University Title IX Coordinator